IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2758 OF 2005

Ashok Ramchandra Powar ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.Tejpal S. Ingale, for the Applicant.

Mr.A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

2nd May 2005

P.C.:

. Heard Counsel for the parties. I see no reason to depart from the conclusion reached by the lower Court in rejecting anticipatory bail application, insofar as the present Applicant is concerned. However, limited protection is granted to the Applicant as prayed for by the Applicant through his Counsel. The Applicant shall not be arrested till 9th May 2005 on

condition that he shall report to the investigating officer as and when called upon, with regard to the investigation of the case and co-operate for the purpose of investigation. If the Applicant fails to surrender before the appropriate Court on or before 9th May 2005, it will be open to the investigating officer to proceed against the Applicant in accordance with law. Disposal of this application shall not influence the lower Court in deciding the regular bail application to be filed by the Applicant consequent to surrender before the appropriate Court. That will have to be decided on its own merits in accordance with law. This order is passed in the peculiar facts and circumstances of the present case.

(A.M.KHANWILKAR,J.)